

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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DIONNE LEE

Plaintiff

RICHARD K. BAWUAH and
COWAN EQUIPMENT LEASING

Civil Action No. 07-cv-9917

**CERTIFICATION
OF COUNSEL**

Defendants

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Jeffrey A. Segal, Esquire, an attorney duly admitted to practice law before the applicable Courts of the State of New York, hereby affirms the truth of the following, under the penalties of perjury:

1. I am a partner of Rawle & Henderson LLP, attorneys for the defendants, Richard K. Bawuah and Cowan Equipment Leasing, and as such I am fully familiar with the facts and circumstances herein.
2. This action arises out of a motor vehicle accident that occurred on the eastbound, Upper Level of the George Washington Bridge at approximately 12:40 a.m. on Monday, May 9, 2007.
3. Liability and the nature and extent of plaintiff's alleged injuries are disputed.
4. On July 8, 2008, Defendants filed a motion in *Limine* seeking to Preclude the testimony of Plaintiff's Liability Expert; on July 10, 2008 Defendants filed a motion in *Limine* seeking to apply New Jersey Case law; and on July 15 Defendants filed three(3) motions in *Limine* seeking to Preclude the Expert Testimony of Doctors Zeren, Hasuknecht and Babu.

5. On July 21, 2008, Your Honor issued an Order granting Plaintiff an extension of the Local S.D.N.Y. Civil Rule 6.1(b)(2) four day deadline to file opposition briefs to the end of business on July 22, 2008, despite the deadline for filing opposition briefs to the motions filed on or about July 8 and July 10, having long since passed. Further, it is noted that counsel's request for an extension of the deadline was submitted to the court without a carbon copy to the undersigned. In fact, the undersigned, first received notice of the request upon receipt of the Court's order granting the extension via ECF.

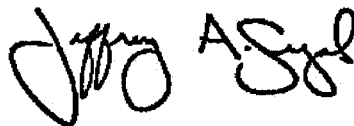
6. Plaintiff then filed opposition papers on July 22, 2008. Therefore, the deadline for defendants to file reply memoranda was July 23, 2008 pursuant to S.D.N.Y. Local Civil Rule 6.1(b)(3).

7. However, at 12:22 p.m. on July 23, 2008, before defendants had an opportunity to file reply papers in further support of the various motions in *limine*, Your Honor issued an Order deciding all of the motions in *limine*. (See Your Honor's Order dated July 23, 2008, attached hereto as exhibit "A").

8. In light of defendants' lost opportunity to submitted Reply pleadings, defendants herein request reconsideration of Your Honor's July 23, 2008 Order denying: the motions in *limine* as to Dr. Hauskencht; the Application of New Jersey Law and the preclusion of Plaintiff's wage loss claim pursuant to S.D.N.Y. Local Civil Rule 6.3.

9. Therefore, defendants herein request an Order granting Defendants Motion for Reconsideration.

RAWLE & HENDERSON LLP

A handwritten signature in black ink, appearing to read "Jeffrey A. Segal". The signature is stylized with a large, looped "J" and "S".

By: _____

Jeffrey A. Segal
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Dated: July 31, 2008